

IC 31-11-10

Chapter 10. Actions to Annul Voidable Marriages

IC 31-11-10-1

Action by party incapable of contracting marriage because of age or mental incompetence

Sec. 1. (a) This section applies to a marriage that is voidable under IC 31-11-9-2 on the ground that a party to the marriage was incapable because of age or mental incompetency of contracting the marriage.

(b) The incapable party described in subsection (a) may file an action to annul the marriage in a court that has jurisdiction over the action under section 3 of this chapter.

As added by P.L.1-1997, SEC.3.

IC 31-11-10-2

Action by victim of fraud; defense

Sec. 2. (a) This section applies to a marriage that is voidable under IC 31-11-9-3 on the ground that the marriage was brought about through fraud on the part of one (1) of the parties to the marriage.

(b) The alleged victim of fraud described in subsection (a) may file an action to annul the marriage in a court that has jurisdiction over the action under section 3 of this chapter.

(c) It is a defense in an action brought under this section that, after the discovery of the alleged fraud, the alleged victim continued to cohabit with the other party to the marriage.

As added by P.L.1-1997, SEC.3.

IC 31-11-10-3

Jurisdiction

Sec. 3. A circuit or superior court has jurisdiction over actions to annul voidable marriages under this chapter.

As added by P.L.1-1997, SEC.3.

IC 31-11-10-4

Procedure

Sec. 4. An action to annul a voidable marriage under this chapter must be conducted in accordance with IC 31-15.

As added by P.L.1-1997, SEC.3.